

United States District Court  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

JOHN SIMMONS and SCOTT B. CARLE,

Plaintiff,

V.

WACHOVIA SECURITIES, LLC, *a Member Firm*,  
LEHMAN BROTHERS, INC., *a Member Firm*,  
MORGAN KEEGAN & COMPANY, INC., *a Member*  
*Firm*, REGIONS FINANCIAL CORPORATION, *a*  
*Member Firm*, JOHN DOES 1-2, RANDY J. ROSS,  
*a Registered Representative*, JAMES TIMOTHY RITT,  
*a Registered Representative*, and GAIL MARKHAM  
BROWN, *a Registered Representative*,

Defendant.

**JUDGMENT**  
**CASE NO. 5:12-CV-659-D**

### Decision by the Court:

IT IS ORDERED AND ADJUDGED that the Plaintiff's Motion to Show Cause; Motion to Extend Time for Service [D.E. 9] is DENIED. Plaintiff's Motion to Vacate Arbitration Award [D.E. 1] is DISMISSED WITHOUT PREJUDICE. The Clerk shall close the case.

**THE ABOVE JUDGMENT WAS ENTERED TODAY, JULY 25, 2013 WITH A COPY TO:**

Robert G. McIver (via CM/ECF electronic notification)  
R. Dennis Fairbanks (via CM/ECF electronic notification)  
Charles F. Marshall III (via CM/ECF electronic notification)

July 25, 2013  
Date

JULIE A. RICHARDS, Clerk  
Eastern District of North Carolina

/s/ Debby Sawyer  
(By) Deputy Clerk

Raleigh, North Carolina